



Atty. Dkt. No. 029318-0615

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bosch et al.
Title: LIQUID DROPLET
AEROSOLS OF
NANOPARTICULATE
DRUGS
Appl. No.: 09/597,738
Appl. Filing Date: 06/19/2000
Examiner: R. Bawa
Art Unit: 1619

TECH CENTER 1600/2900

SEP 26 2003

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REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. § 1.114:** (check items that apply)

a. Previously submitted:

☐ Please enter and consider the amendment/reply previously filed on __.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on __ but not considered.

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☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.

☐ Other ____.

b. Enclosed are:

☒ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of ____ listed reference(s).

☐ Other .

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months.

The filing fee is calculated below:

| | Claims as Amended | Previously Paid For | Extra Claims Present | Rate | Fee Totals |
|--|-------------------|------------------------------------|----------------------|------------|-------------------|
| RCE Fee 1.17(e) | | | | \$750.00 | \$750.00 |
| Total Claims: | <u>28</u> | <input type="checkbox"/> <u>69</u> | <u>0</u> | x \$18.00 | = <u>\$0.00</u> |
| Independents: | <u>4</u> | <input type="checkbox"/> <u>4</u> | <u>0</u> | x \$84.00 | = <u>\$0.00</u> |
| First presentation of any Multiple Dependent Claims: | | | | + \$280.00 | = <u>\$0.00</u> |
| CLAIMS FEE TOTAL: | | | | | = <u>\$750.00</u> |

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

| | | | |
|-------------------------------------|---|------------|----------|
| <input checked="" type="checkbox"/> | Extension for response filed within the first month: | \$110.00 | \$110.00 |
| <input type="checkbox"/> | Extension for response filed within the second month: | \$410.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the third month: | \$930.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fourth month: | \$1,450.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fifth month: | \$1,970.00 | \$0.00 |
| EXTENSION FEE TOTAL: | | | \$110.00 |
| CLAIMS AND EXTENSION FEE TOTAL: | | | \$860.00 |
| <input type="checkbox"/> | Small Entity Fees Apply (subtract ½ of above): | | \$0.00 |
| <input type="checkbox"/> | Suspension of action requested under 37 C.F.R. § 1.103(c) | | \$0.00 |
| TOTAL FEE: | | | \$860.00 |

☐ Please charge Deposit Account No. 19-0741 in the amount of \$860.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$860.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date Sept 23, 2003

By Michele M. Simkin

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

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Facsimile: (202) 672-5399

Michele M. Simkin
Attorney for Applicant
Registration No. 34,717